

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

FILE NO: 5:17-CR-303-1D(4)

UNITED STATES OF AMERICA)
)
 V.) MOTION TO CONTINUE
)
MATTHEW YENSAN)
)

NOW COMES defendant Matthew Yensan, by and through his undersigned counsel, and moves this Court for an Order continuing his arraignment which is presently scheduled for December 11, 2017. The grounds for this motion are as follows:

1. Defendant was charged by Indictment on October 13, 2017 with possess with intent to distribute a detectable amount of marijuana, in violation of Title 21, United States Code, Section 841(a)(1); possess with intent to distribute a quantity of Alprazolam in violation of Title 21, United States Code, Section 841(a)(1); distribute a Schedule IV Controlled Substance, Alprazolam, by means of the Internet, in violation of 21 United States Code, Section 841(h); possessing firearms in furtherance of a drug trafficking crime in violation of 18 United States Code, Section 924(c)(1)(A)(i).
2. The parties have been engaged in plea discussions and were optimistic they would be prepared to proceed on Monday, December 11, 2017 with the scheduled arraignment. The parties have now determined they need additional time to pursue plea discussions as discovery has continued to develop.

3. The undersigned has consulted with the government concerning this motion. Special Assistant United States Attorney Benjamin Zellinger has advised the government consents to continuing this matter to this Court's January term of court.
4. The period of time occasioned by this continuance is excluded from Speedy Trial Act calculations on the grounds that the ends of justice served by this continuance outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. Sect. 3161 (h)(7) (A).

Based on the foregoing, the defendant moves this Court to continue the arraignment in this matter to this Court's January court date.

Respectfully submitted, this the 7th day of December, 2017.

/s/Rosemary Godwin
Rosemary Godwin
NC Bar No. 18217
Attorney for defendant
434 Fayetteville Street, Suite 2050
Raleigh, NC 27601
919-834-6161
Fax: 919-834-3400
rosemary@rosemarygodwinlaw.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing motion was duly served upon:

Benjamin Zellinger
Special Assistant United States Attorney
310 New Bern Avenue, Suite 800
Raleigh, NC 27601

by electronic filing with the Clerk of Court for the Eastern District of North Carolina on this the 7th day of December, 2017.

/s/Rosemary Godwin
Rosemary Godwin
NC Bar No. 18217
Attorney for defendant
434 Fayetteville Street, Suite 2050
Raleigh, NC 27601
919-834-6161
Fax: 919-834-3400
rosemary@rosemarygodwinlaw.com